

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3322. Assistance programs**(a) Research and extension program**

The Secretary may develop and implement a cooperative research and extension program to encourage the development, management, and production of important aquatic food species within the several States and territories of the United States and to enhance further the safety of food products derived from the aquaculture industry, in accordance with the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980 [16 U.S.C. 2801 et seq.].

(b) Grants**(1) In general**

Subject to paragraph (3), the Secretary may make competitive grants to entities eligible for grants under paragraph (2) for research and extension to facilitate or expand promising advances in the production and marketing of aquacultural food species and products and to enhance the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.

(2) Eligible entities

The Secretary may make a competitive grant under paragraph (1) to—

- (A) a land-grant or seagrant college or university;
- (B) a State agricultural experiment station;
- (C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary; or
- (D) a nonprofit private research institution.

(3) Matching state grants**(A) In general**

Except as provided in subparagraph (B), the Secretary shall not make a grant under paragraph (1) unless the State in which the grant recipient is located makes a grant to that recipient in an amount equal to not less than the amount of the grant under paragraph (1) (of which State amount an in-kind contribution shall not exceed 50 percent).

(B) Federal laboratories

Subparagraph (A) shall not apply to a grant to a Federal laboratory.

(c) Aquaculture development plans

The Secretary may assist States to formulate aquaculture development plans for the enhancement of the production and marketing of aquacultural species and products from such States and may make grants to States on a matching basis, as determined by the Secretary. The aggregate amount of the grants made to any one State under this subsection may not ex-

ceed \$50,000. The plans shall be consistent with the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980 [16 U.S.C. 2801 et seq.].

(d) Aquacultural centers

To provide for aquacultural research, development, and demonstration projects having a national or regional application, the Secretary may establish in existing Federal facilities or in cooperation with any of the non-Federal entities specified in subsection (b) up to five aquacultural research, development, and demonstration centers in the United States for the performance of aquacultural research, extension work, and demonstration projects. Funds made available for the operation of such regional centers may be used for the rehabilitation of existing buildings or facilities to house such centers, but may not be used for the construction or acquisition of new buildings or facilities. To the extent practicable, the aquaculture research, development, and demonstration centers established under this subsection shall be geographically located so that they are representative of the regional aquaculture opportunities in the United States. To the extent practicable, the Secretary shall ensure that equitable efforts are made at these centers in addressing the research needs of those segments of the domestic aquaculture industry located within that region.

(e) Listing of laws on aquaculture

The interagency aquaculture coordinating group established under section 6(a) of the National Aquaculture Act of 1980 (16 U.S.C. 2805(a)) shall, in consultation with appropriate Federal and State agencies, compile a listing of Federal and State laws, rules, and regulations materially affecting the production, processing, marketing, and transportation of aquaculturally produced commodities and the products thereof. The interagency aquaculture coordinating group shall make such listing available to the public not later than January 1, 1992, and shall update and revise such listing not later than January 1, 1996, to show such laws, rules, and regulations as in effect on that date.

(f) Fish disease program

The Secretary shall implement, in consultation with the Joint Subcommittee on Aquaculture referred to in section 6 of the National Aquaculture Act of 1980 (16 U.S.C. 2805), a fish disease program to include the development of new diagnostic procedures for fish diseases, the determination of the effect of water environment on the development of the fish immune system, and the development of therapeutic, synthetic, or natural systems, for the control of fish diseases.

(Pub. L. 95-113, title XIV, § 1475, as added Pub. L. 97-98, title XIV, § 1440(a), Dec. 22, 1981, 95 Stat. 1316; amended Pub. L. 99-198, title XIV, § 1429(a), Dec. 23, 1985, 99 Stat. 1555; Pub. L. 101-624, title XVI, § 1614(a), Nov. 28, 1990, 104 Stat. 3727; Pub. L. 104-66, title I, § 1011(u), Dec. 21, 1995, 109 Stat. 711; Pub. L. 104-127, title VIII, § 820(b), Apr. 4, 1996, 110 Stat. 1168; Pub. L. 113-79, title VII, §§ 7124(a), 7128(b)(1)(B), Feb. 7, 2014, 128 Stat. 876, 878; Pub. L. 115-334, title VII, § 7614(b)(1)(B), Dec. 20, 2018, 132 Stat. 4833.)

Editorial Notes

REFERENCES IN TEXT

The National Aquaculture Act of 1980, referred to in subsecs. (a) and (c), is Pub. L. 96-362, Sept. 26, 1980, 94 Stat. 1198, which is classified generally to chapter 48 (§2801 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 2801 of Title 16 and Tables.

AMENDMENTS

2018—Subsec. (b). Pub. L. 115-334 substituted pars. (1) to (3) for “The Secretary may make competitive grants to—

“(1) land-grant and sea grant colleges and universities;

“(2) State agricultural experiment stations;

“(3) colleges, universities, and Federal laboratories having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary; and

“(4) nonprofit private research institutions; “for research and extension to facilitate or expand promising advances in the production and marketing of aquacultural food species and products and to enhance further the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.”

2014—Subsec. (b). Pub. L. 113-79, §7128(b)(1)(B), struck out at end of concluding provisions “Except in the case of Federal laboratories, no grant may be made under this subsection unless the State in which the grant recipient is located makes a matching grant (of which amount an in-kind contribution may not exceed 50 percent) to such recipient equal to the amount of the grant to be made under this subsection, and unless the grant is in implementation of the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980.”

Pub. L. 113-79, §7124(a), inserted “competitive” before “grants” in introductory provisions.

1996—Subsecs. (e) to (g). Pub. L. 104-127 redesignated subsecs. (f) and (g) as (e) and (f), respectively, and struck out heading and text of former subsec. (e). Text read as follows: “Not later than March 1 of each year, the Secretary shall submit a report to the President, the House Committee on Agriculture, the House Committee on Merchant Marine and Fisheries, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Committee on Appropriations, containing a summary outlining the progress of the Department of Agriculture in meeting the purposes of the programs established under this subchapter.”

1995—Subsec. (e). Pub. L. 104-66 struck out “(1)” before “Not later than” and struck out par. (2) which required Secretary to conduct a study assessing economic impact of animal damage to the United States aquaculture industry.

1990—Subsec. (a). Pub. L. 101-624, §1614(a)(1), inserted heading and substituted “United States and to enhance further the safety of food products derived from the aquaculture industry,” for “United States.”

Subsec. (b). Pub. L. 101-624, §1614(a)(2), inserted heading, inserted “and sea grant” after “land-grant” in par. (1), and inserted before period at end “and to enhance further the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds”.

Subsec. (c). Pub. L. 101-624, §1614(a)(3), inserted heading.

Subsec. (d). Pub. L. 101-624, §1614(a)(4), inserted heading, substituted “five aquacultural” for “four aquacultural”, and inserted at end “To the extent practicable, the Secretary shall ensure that equitable efforts are made at these centers in addressing the research needs of those segments of the domestic aquaculture industry located within that region.”

Subsec. (e). Pub. L. 101-624, §1614(a)(5), inserted heading, designated existing provisions as par. (1), sub-

stituted “Not later than March 1 of each year,” for “Not later than one year after the effective date of this subchapter and not later than March 1 of each subsequent year,” and added par. (2).

Subsecs. (f), (g). Pub. L. 101-624, §1614(a)(6), added subsecs. (f) and (g).

1985—Subsec. (b). Pub. L. 99-198, §1429(a)(1), (2), added par. (4) and inserted “(of which amount an in-kind contribution may not exceed 50 percent)” after “matching grant”.

Subsec. (d). Pub. L. 99-198, §1429(a)(3), (4), substituted in first sentence “any of the non-Federal entities specified in subsection (b)” for “State agencies (including State departments of agriculture), and land-grant colleges and universities,” and inserted provision respecting geographic location of aquaculture research, development, and demonstration centers.

Subsec. (e). Pub. L. 99-198, §1429(a)(5), inserted “the House Committee on Merchant Marine and Fisheries.”.

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EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-334 applicable to grants, cooperative agreements, or other awards made after Dec. 20, 2018, with matching funds requirement in effect on Dec. 20, 2018, to continue to apply to such grant, cooperative agreement, or other award, see section 7614(c) of Pub. L. 115-334, set out as a note under section 3151 of this title.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3323. Repealed. Pub. L. 105-185, title III, § 302(a), June 23, 1998, 112 Stat. 563

Section, Pub. L. 95-113, title XIV, §1476, as added Pub. L. 101-624, title XVI, §1614(b)(1), Nov. 28, 1990, 104 Stat. 3728; amended Pub. L. 104-127, title VIII, §820(c), Apr. 4, 1996, 110 Stat. 1168, authorized grants and appropriations for aquaculture research facilities.

A prior section 3323, Pub. L. 95-113, title XIV, §1476, as added Pub. L. 97-98, title XIV, §1440(a), Dec. 22, 1981, 95 Stat. 1317, related to establishment, duration, and meetings of Aquaculture Advisory Board, and appointment and compensation of Board members, prior to repeal by Pub. L. 99-198, title XIV, §1429(b), Dec. 23, 1985, 99 Stat. 1556.

§ 3324. Authorization of appropriations**(a) In general**

There are authorized to be appropriated to carry out this subchapter—

(1) \$7,500,000 for each of fiscal years 1991 through 2013; and

(2) \$5,000,000 for each of fiscal years 2014 through 2023.

(b) Prohibition on use

Funds made available under this section may not be used to acquire or construct a building.

(Pub. L. 95-113, title XIV, §1477, as added Pub. L. 97-98, title XIV, §1440(a), Dec. 22, 1981, 95 Stat. 1318; amended Pub. L. 99-198, title XIV, §1429(c), Dec. 23, 1985, 99 Stat. 1556; Pub. L. 101-624, title XVI, §1614(c), Nov. 28, 1990, 104 Stat. 3728; Pub. L. 104-127, title VIII, §820(d), Apr. 4, 1996, 110 Stat. 1168; Pub. L. 105-185, title III, §301(a)(15), June 23, 1998, 112 Stat. 562; Pub. L. 107-171, title VII, §7116, May 13, 2002, 116 Stat. 433; Pub. L. 110-234, title VII, §7140, May 22, 2008, 122 Stat. 1232; Pub. L. 110-246, §4(a), title VII, §7140, June 18, 2008, 122